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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of AARON LAMSTEIN)

Group Art Unit: 3643

Application No. 10/801,240)

Examiner: Andrea M. Valenti

Filing Date:: 3/15/2004)

AMENDMENT

For: DEEPERSLEEPER)

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Non-fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 12/10/04

By: Teri Nelmark
Teri Nelmark

Sir:

In response to the Office Action dated November 8, 2004, please consider the following comments and remarks.

In the Claims:

Claims 1, 2, 8 and 9 stand rejected under 35 U.S.C. Section 102(b) as being anticipated by U.S. Patent No. 6,305,318 to Ford. It is the position of the Examiner that Ford teaches a pet bed for use by cats comprising a resilient, compressible fill material in an outer shell fabric defining the geometry of the pet bed as having a bottom and sides and top, the latter comprising a plush and gas permeable fabric, closable opening in said outer shell fabric allowing for selective access to the interior of said outer shell fabric, a gas permeable pouch containing catnip located beneath said top fabric such that scent